

Abstrak

Indonesia merupakan salah satu negara terbesar yang mengirimkan tenaga kerjanya untuk bekerja di Hong Kong. Namun, banyak diantara mereka yang memiliki masalah terkait dengan batas izin tinggal atau overstay, dengan kondisi yang demikian maka TKI amat rawan terhadap ancaman eksploitasi tenaga kerja dan terjerat kasus hukum.

Penelitian ini bertujuan untuk mengetahui bagaimana jaminan hukum bagi tenaga kerja Indonesia overstay di Hong Kong dan untuk mengetahui implementasi dari kerjasama perlindungan hukum Indonesia – Hong Kong dalam memberikan perlindungan hukum bagi TKI di Hong Kong. Selain itu, adapun kegunaan dari penelitian ini adalah sebagai referensi bagi pihak – pihak lain yang melakukan penelitian yang berkaitan dengan perlindungan hukum TKI di Hong Kong.

Penelitian ini menggunakan metode penelitian deskriptif yang menjelaskan masalah – masalah yang dihadapi oleh TKI overstay Indonesia di Hong Kong seperti masalah keimigrasian, eksploitasi, dan lain – lain.

Dalam penelitian ini memperlihatkan bahwa TKI Overstay di Hong Kong memiliki jaminan perlindungan hukum melalui kerjasama ketenagakerjaan antara Indonesia dan Hong Kong, yang mengacu pada International Convention 1990 on The Protection of The Right of all migrant workers, and Member of Their Families yang telah diratifikasi oleh kedua negara.

Kata kunci : Kerjasama ketenagakerjaan Indonesia – Hong Kong, TKI Overstay, Pemberian jaminan Hukum

Abstract

Indonesia is one of the largest countries that sends its workforce to work in Hong Kong. However, many of them have problems related to the limit of residence permit or overstay, with such conditions, Indonesian migrant workers are very vulnerable to the threat of labor exploitation and entangled in legal cases.

This study aims to find out how legal guarantees for Indonesian workers overstay in Hong Kong, and to find out the implications of cooperation between Indonesian and Hong Kong legal protection in providing legal protection for Indonesian migrant workers in Hong Kong. In addition, the usefulness of this research is for other parties conducting research related to the legal protection of migrant workers in Hong Kong

This study uses a descriptive research method that explains the problems faced by Indonesian migrant workers overstaying Indonesia in Hong Kong such as immigration, exploitation, and others.

In this survey shows that TKI Overstay in Hong Kong has guaranteed legal protection through labor cooperation between Indonesia and Hong Kong, which refers to the International Convention 1990 on the Protection of the Right to All Migrant Workers, and Members of Their Families which has been ratified by two countries.

Keywords: Indonesian - Hong Kong employment cooperation, TKI Overstay, Legal guarantees

Abstrak

Indonesia mangrupa salah sahiji nagara panggedena nu ngirim pagawe pikeun digawe di Hong Kong. Mung, seeur jalmi anu gaduh masalah perkawis wates dina izin tinggal anu kalangkung atanapi *overstay*, kalayan kaayaan kitu nu nyebabkeun TKI babari beunang ku ancaman eksploitasi pagawe sarta perkawis hukum.

Panalungtikan ieu dituju pikeun langkung terang nyaeta ayama jaminan hukum bagi tanagi kerja Indonesia anu *overstay* di Hong Kong sareng kumaha implementasi ti perlindungan hukum pikeun TKI di Hong Kong. Salian ti eta, aya deui guna tina panalungtikan ieu nyaeta pikeun referensi kanggo nu sanes anu bade nalungtik tema nu sami atanapi deket.

Panalungtikan ieu ngangge metode panalungtikan deskriptif nu maparkeun masalah – masalah nu disanghareupan ku TKI *overstay* di Hong Kong sapertos masalah kaimigrasian, eksploitasi jeung sajabana ti eta.

Dina panalungtikan ieu maparkeun yen TKI *Overstay* di Hong Kong gaduh jaminan perlindungan hukum tina gawe bareng antawis Indonesia sareng Hong Kong, anu dadasar na tina *International Convention 1990 on The Protection of The Right of all migrant workers, and Member of Their Families* yang telah diratifikasi ku kadua nagara eta.

Kata Kunci: Gawe babarengan tanagi kerja Indonesia – Hong Kong, TKI *Overstay*, Jaminan hukum